

Case/Docket No.:

PATENT

DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe I am the original, first and sole inventor or an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

*METHOD AND APPARATUS FOR IMPLEMENTING A SLEEP PROXY FOR SERVICES ON A NETWORK*

the specification of which

  X   is attached hereto.

       was filed on September 30, 2003 as  
Application Serial No.  
and was amended on                                 .



22835

PATENT TRADEMARK OFFICE

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and said invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>                                </u>	<u>                                </u>	<u>                                </u>	<u>          </u>	<u>          </u>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

Attorney Docket No. APL-P3152

I hereby claim the benefit under Title 35, United States Code, Section 120 <sup>and 119(e)</sup> of any United States application(s) or Section 365 (c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

60/496,842

(Application Serial No.)

20 August 2003

(Filing Date)

Pending

(Status – patented, pending, abandoned)

I hereby appoint my attorneys, Daniel E. Vaughan, Reg. No. 42,199; Edward J. Grundler Reg. No. 47,615; Hoyt A. Fleming, Reg. No. 41,752; and A. Richard Park, Reg. No. 41,241 of Park, Vaughan & Fleming LLP, located at 508 Second Street, Suite 201, Davis, California 95616; and Mark Aaker, Reg. No. 32,667; Richard Liu, Reg. No. 34,377; Richard J. Lutton, Reg. No. 39,756; Edward W. Scott, IV, Reg. No. 36,000; and Helene Plotka Workman, Reg. No. 35,981; of **APPLE COMPUTER, INC., located at 1 Infinite Loop, M/S: 38-PAT, Cupertino, California 95014, telephone (408) 974-3032, facsimile (408) 974-5436**, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like somade are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor: **Stuart D. Cheshire**Inventor's Signature S. D. Cheshire Date 23<sup>rd</sup> September 2003Residence: 1436 Rosecrest Terrace, San Jose, CA 95126 Citizenship: United Kingdom

Post Office Address: Same